

REMARKS

In response to the restriction requirement, claims 1-16 are pending.

Traverse of Requirement for Restriction

The Examiner has required restriction amongst three identified groups of claims. Group I consists of claims drawn to a metallic aircraft wing skin, Group II consists of claims drawn to a method of manufacturing an aircraft wing skin, and Group III consists of claims drawn to a method of manufacturing an aircraft wing. Applicant respectfully traverses this requirement for restriction and requests that it be withdrawn.

Although not directly stated, it is apparently assumed in the restriction requirement that the claimed wing skin may be made by the materially different prior art method, and thus, the product made and method of making are “distinct” and restriction is proper according to MPEP 806.05(f). The assumption, however, that the wing skin of the present invention can be made using prior art methods is incorrect.

The method of the prior art, discussed at page 1, line 24 through page 2, line 7, of the specification, results in a wing skin having faceted surfaces, each of which has a constant gradient. In contrast, an embodiment of the method of the present invention as described in the specification at page 4, lines 6-17, results in a wing skin having a thickness that varies both in a direction along the length of the strips and in a transverse direction from one strip to the next. Moreover, thickness of the wing skin in the transverse direction may be substantially constant across almost the entire width of a strip, and then may vary by a significant amount at the transition from one strip to the next. The prior art method simply cannot produce a wing skin with these features.

Based on the foregoing, Applicant respectfully submits that restriction is improper and requests that the restriction requirement be withdrawn.

Traverse of Requirements for Election of Species

The Examiner has further identified what are alleged to be two separate species of strip shape and two separate species of embodiments of the wing skin of the present invention, and has required election among these species. Applicant submits, however, that the identifications of separate species are erroneous and respectfully requests that they be withdrawn.


With regard to the identification of two separate species of strip shape, the Examiner points to a passage of the specification found at page 5, lines 1-10, and asserts that this passage discloses alternative structures. This passage, however, merely recites two alternative ways in which the strip shapes of the same surface may be notationally “viewed.” In short, the passage sets forth two ways of describing the same surface structure, not two different surface structures.

With regard to the identification of separate species based on the embodiments depicted in Figures 1 and 6, Applicant respectfully points out that, according to the specification at page 1 line 24, through page 2 line 7, and page 15 lines 7-9, Figure 1 depicts a wing skin according to the prior art, not an embodiment of the claimed invention. Consequently, Applicant respectfully submits that it would be impossible to “elect” the embodiment of Figure 1 as the claimed invention.

Based on the foregoing, Applicant submits that the election of species requirements found in paragraphs 2 and 3 of the Office Action are improper and requests that they be withdrawn.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Bradley J. Thorson', written over the printed name.

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